IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1165 of 2005 (S/S)

Anil Mohan Saxena
S/o Sri Banwari Lal
R/o 105, Mithilapuri II
Near Transformer, Deelapar
Bareilly. ……. ….Petitioner

Versus

1. State of Uttaranchal through Secretary
   Sugar, Government of Uttaranchal
   Civil Secretariat, Dehradun.
2. Kisan Sehkari Chini Mills Ltd.
   Sitarganj, District Udham Singh Nagar
   Through its General Manager.
3. General Manager, Kisan Sahkari Chini Mills Ltd.
   Sitarganj, District Udham Singh Nagar.

……..Respondents.

Shri Naresh Pant, learned counsel for the petitioner.
Learned Standing Counsel for the respondents.

Hon'ble Prafulla C. Pant, J

Learned counsel for the parties are present.

2. Heard learned counsel for the parties and perused the affidavit and counter affidavit, filed by them.

3. The petitioner, who is engaged as a seasonal employee, has sought his regularization in service.

4. In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. 01*** wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or regularised against the constitutional scheme of public

employment, this Court is not inclined to issue direction to regularize services of the petitioners, as such, the petition is liable to be dismissed.

5. The writ petition is dismissed with the observation that the petitioner may seek other remedy, if any, available to him under law. Interim order dated 17.08.2005, is hereby vacated. (All pending applications also stand disposed of).

Dt. 02.12.2006 **(Prafulla C. Pant, J.)**

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